

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA**

ZECO, LLC, d/b/a ZEE COMPANY,
a Utah company,

Case No. 1:21-cv-00079

Plaintiff/Counterclaim Defendant,

vs.

ENVIRO TECH CHEMICAL
SERVICES, INC.,

Defendant/Counterclaimant.

**DECLARATION OF ERIC H. CHADWICK IN SUPPORT OF ZECO'S INITIAL
CLAIM CONSTRUCTION MEMORANDUM**

I, Eric H. Chadwick, do hereby state and declare as follows:

1. I am an attorney with the law firm of DeWitt LLP and am counsel of record for Plaintiff Zeco, LLC, d/b/a Zee Company ("Zeco"). I am familiar with the facts and circumstances of this case. I have personal knowledge of the matters set forth herein, and I am competent to so testify.

2. I submit this Declaration in support of Zeco's Initial Claim Construction Memorandum. In this action, Defendant Enviro Tech Chemical Services, Inc. produced a prosecution history file wrapper of Application No. 13/199,029, which issued as U.S. Patent No. 10,912,321 on February 9, 2021, that has certified by the U.S. Patent and Trademark Office having Bates Stamped Nos. ENVIRO001054.1-ENVIRO0015054.1930 ("Certified File History Wrapper"). Due to the size of the

Certified File History Wrapper, only portions cited in Zeco's Initial Claim Construction Memorandum are submitted as Exhibits as provided below.

3. Exhibit 1 is a true and correct copy of the Record of Oral Hearing transcript in Appeal 2020-003358 for application no. 13/199,029, held on December 10, 2020 and mailed January 4, 2021.

4. Exhibit 2 is a true and correct copy of the Applicant-Initiated Interview Summary for an interview conducted on July 21, 2016.

5. Exhibit 3 is a true and correct copy of the Notice of Allowance with Examiner's Amendment mailed July 27, 2016.

6. Exhibit 4 is a true and correct copy of the Applicant-Initiated Interview Summary for an interview conducted on September 7, 2016.

7. Exhibit 5 is a true and correct copy of the Corrected Notice of Allowability with Examiner's Amendment in Appeal 2020-003358 mailed September 30, 2016.

8. Exhibit 6 is a true and correct copy of the Decision on Appeal mailed December 18, 2020.

9. Exhibit 7 is a true and correct copy of the Amendment filed November 20, 2017.

10. Exhibit 8 is a true and correct copy of the January 13, 2016 Declaration of Sacit F. Bilgili, Ph.D., Under 37 C.F.R. Section 1.132 in Response to Office Action Mailed July 15, 2015.

11. Exhibit 9 is a true and correct copy of Enviro Tech's Appeal Brief filed October 21, 2019, including Ex. 6A (Bilgili Declaration).

12. Exhibit 10 is a true and correct copy of the Amendment filed January 15, 2016.

13. Exhibit 11 is a true and correct copy of the Amendment filed June 19, 2019.

14. Exhibit 12 is a true and correct copy of the July 6, 2018 Declaration of Jonathan N. Howarth, Ph.D., Under 37 C.F.R. Section 1.132 in Response to Office Action Mailed July 10, 2015.

15. Exhibit 13 is a true and correct copy of the July 6, 2018 Declaration of Jonathan N. Howarth, Ph.D., Under 37 C.F.R. Section 1.132 in Response to Office Action Mailed June 1, 2018.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: April 1, 2022

By: s/Eric H. Chadwick/